



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.             | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------|-------------|----------------------|---------------------|------------------|
| 10/743,983                  | 12/22/2003  | Larry E. McKinley    | ITDE-PNV112US       | 9056             |
| 23122                       | 7590        | 11/12/2004           | EXAMINER            |                  |
| RATNERPRESTIA               |             |                      | DOAN, JENNIFER      |                  |
| P O BOX 980                 |             |                      | ART UNIT            |                  |
| VALLEY FORGE, PA 19482-0980 |             |                      | PAPER NUMBER        |                  |

2874

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/743,983 | <b>Applicant(s)</b><br>MCKINLEY ET AL. |  |
|                              | <b>Examiner</b><br>Jennifer Doan     | <b>Art Unit</b><br>2874                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 is/are allowed.
- 6) ☒ Claim(s) 10 is/are rejected.
- 7) ☒ Claim(s) 11-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>122203</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The prior art documents submitted by applicant in the Information Disclosure Statement filed on 12/22/2003, have all been considered and made of record (note the attached copy of form PTO-1449).

### ***Drawings***

2. The drawings, filed on 12/22/2003, are accepted.

### ***Specification***

3. Claims 5 and 7 are objected to because of the following informalities:

Claims 5 and 7 recite the limitation "the pressure" in line 2. There is insufficient antecedent basis for the limitation in the claim. It is suggested that the term "the pressure" should be changed to "a pressure".

Appropriate correction is required.

Applicants' cooperation is requested in correcting any other errors of which applicants may become aware in the specification.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 10 is rejected under 35 U.S.C. 102(e) as being anticipated by Kuhara et al. (U.S. Patent 6,733,190).

With respect to claim 10, Kuhara et al. (figures 12 and 15) disclose a device for mounting a fiber optic unit to a photosensor, the device comprising a photosensor (15) mounted to a first carrier (14) (column 2, line 10); a fiber optic unit (see figure 12) coupled to the photosensor (15) to create a joint between the photosensor and the fiber optic unit (column 2, line 35) and a force applying means (24, 40 and 41) coupled to the photosensor (15) and the fiber optic unit for applying a compression force to the joint (column 7, lines 24-28).

Fig.12

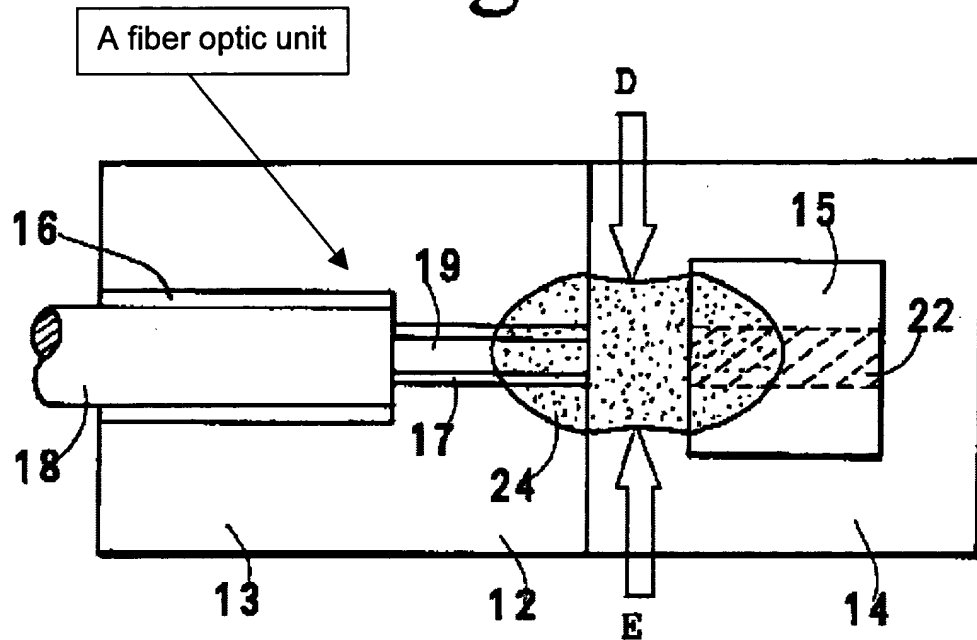
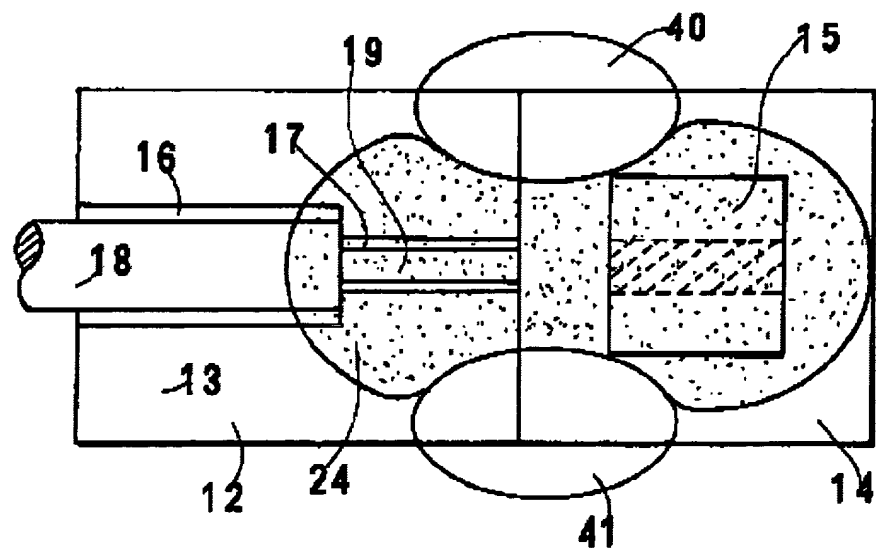


Fig.15

EMBODIMENT 1



***Allowable Subject Matter***

6. Claims 11-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record fails to disclose or reasonably suggest the combination of the structure of the device comprising the force applying means includes a second carrier mounted to the fiber optic unit as recited in claim 11; the force applying means includes a flexible backing coupled to the first carrier as recited in claim 12 and the force applying means includes a spring as recited in claim 13.

Claims 14 and 15 are dependent on the objected claims 13 and 12 respectively; therefore, claims 14 and 15 are also objected.

7. Claims 1-9 are allowed.

The prior art of record also fails to disclose or reasonably suggest a method of mounting a fiber optic unit to a photosensor, comprising the step of mounting a second end of the fiber optic unit to a second carrier, in combination with the remaining claimed limitations as recited in claim 1.

Claims 2-9 are dependent on the allowable claim 1; therefore, claims 2-9 are also allowed.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Essert (U.S. Patent 5,392,373) discloses an optical connection

Art Unit: 2874

between an optical fiber and an electro-optic device; however, Essert does not disclose a second end of the fiber optic unit to a second carrier and compression force to the joint between the fiber optic unit and the photosensor.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Doan whose telephone number is (571) 272-2346. The examiner can normally be reached on Monday to Thursday from 6:00 am to 3:30 pm, second Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jennifer Doan

Patent examiner

November 8, 2004